

C0071

ORDINANCE NO. 2163
File No. 170-17

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 TO LIGHT COMMERCIAL ON A .92 ACRE TRACT LOCATED 300 FEET SOUTH OF U.S. HIGHWAY 80 FRONTING THE EAST SIDE OF BELT LINE 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 (\$200.00) DOLLARS 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 to Light Commercial on a .92 acre tract located 300 feet south of U.S. Highway 80 fronting the east side of Belt Line Road; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 15th day of April, A.D., 1985.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel
Lynn Prugel
City Secretary

Elland Archer
City Attorney

TEXAS LAND SURVEYORS
OF IRVING



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OVERALL TRACT

BEING a tract or parcel of land situated in the ROBERT BETHURUM SURVEY, ABSTRACT NO. 170, and the MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1028, and being that same tract of land described in a deed to William C. Thomas, dated February 11, 1965, lying in the City of Mesquite, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2" iron rod in the East right-of-way line of Belt Line Road (a 100.00 foot wide right-of-way), said POINT OF BEGINNING being South 03 degrees 00 minutes 00 seconds East, a distance of 301.90 feet from the point of intersection with the South line of Interstate Highway 20 (U.S. Highway 80), a variable width right-of-way;

THENCE North 86 degrees 44 minutes 40 seconds East leaving said right-of-way line along the South line of a tract owned by Texaco U.S.A., a distance of 200.35 feet to a found P.K. nail for corner in the West line of a 6.5 acre tract owned by George Verner;

THENCE South 02 degrees 54 minutes 00 seconds East along the West line of said 6.5 acre tract a distance of 202.27 feet to a found 3/4" iron rod for corner, also being the Northeast corner of a tract owned by Jack Motley;

THENCE South 87 degrees 23 minutes 40 seconds West along the North line of said Motley tract, a distance of 200.00 feet to a found 1/2" iron rod being point for corner in the East right-of-way line of said Belt Line Road, and being the Northwest corner of said Motley tract;

THENCE North 03 degrees 00 minutes 00 seconds West along the said East line of Belt Line Road, a distance of 200.00 feet to the POINT OF BEGINNING and CONTAINING 40,261.4832 square feet or 0.9243 acres of land.

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