

ORDINANCE NO. 2195
File No. 1462-182

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 SERVICE STATION TO GENERAL RETAIL ON A .7 ACRE TRACT LOCATED AT THE SOUTHEAST CORNER OF TOWN EAST BOULEVARD AND MILITARY PARKWAY; 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 Service Station to General Retail on a .7 acre tract located at the southeast corner of Town East Boulevard and Military Parkway; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

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 SECTION 7. Whereas, the property described in Section 1 of this

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 July, A.D., 1985.



Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:



Lynn Prugel
City Secretary

Elland Archer
City Attorney

LEGAL DESCRIPTION

BEING a tract of land situated in the City of Mesquite, Dallas County, Texas, and being in the Daniel Tanner Survey, Abstract No. 1462, and being Town East Mobil Addition as recorded in Vol. 71249, P. 1865, Deed Records of Dallas County, Texas, and being more particularly described by subdivision plat as follows:

BEGINNING at the intersection of the east line of Town East Blvd. (100' wide) and the south line of Military Parkway (200' ROW);

THENCE S 89° 42' E along the south line of Military Parkway a distance of 175.0 feet to an iron rod for corner;

THENCE S 00° 18' W a distance of 175.0 feet to an iron rod for corner;

THENCE N 89° 42' W a distance of 178.76 feet to an iron rod lying in the curving east line of Town East Blvd.;

THENCE in a northerly direction along a curve to the left having a central angle of 06° 03' 00" and a radius of 766.29 feet an arc distance of 80.90 feet to an iron rod at the point of tangency;

THENCE N 00° 12' W a distance of 14.2 feet to the POINT OF BEGINNING and containing approximately 30713 square feet or 0.705 acres of land.

TO NEXTER-PAIR TITLE COMPANY
AND TO ALL OTHER INTERESTED PARTIES:

The undersigned does hereby certify that a survey was this day made on the ground on the property legally described hereon and is correct: that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights-of-way, except as shown on the plat hereon; and, that the plat hereon is a true, correct and accurate representation of the property described hereinabove.

DATE Oct 4 1983

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[Signature]
Registered Public Surveyor
RONALD A. HARRIS
DALLAS COUNTY, TEXAS
PUBLIC SURVEY

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