

ORDINANCE NO. 2198
File No. 1-8

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 OFFICE ON A 1.5636 ACRE TRACT LOCATED SOUTH OF THE PROPOSED MERCURY ROAD EXTENSION AND EAST OF 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 (\$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 Agriculture to Office on a 1.5636 acre tract located south of the proposed Mercury Road extension and east of Cartwright Road; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 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

Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel

Lynn Prugel
City Secretary

Elland Archer
City Attorney

FIELD NOTE DESCRIPTION

BEING a tract of land situated in the J.P. Anderson Survey, Abstract No. 1, City of Mesquite, Dallas County, Texas, and being part of a tract of land conveyed by deed to Willard R. Baker as recorded in Volume 83218, Page 0434, Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the most southwesterly south corner of the Billy C. Beach tract as recorded in Volume 72118, Page 0271, Deed Records, Dallas County, Texas, said point also being in the northeast right-of-way line of Cartwright Road (60' width);

THENCE North 44° 54' 32" West along said right-of-way line a distance of 1552.79 feet to the POINT OF BEGINNING;

THENCE North 44° 54' 32" West continuing along said right-of-way line a distance of 100.50 feet to a point for corner;

THENCE North 45° 58' 26" East and leaving said right-of-way line a distance of 679.19 feet to a point for corner;

THENCE South 44° 53' 48" East a distance of 100.08 feet to a point for corner;

THENCE South 45° 56' 18" West a distance of 679.17 feet to the POINT OF BEGINNING and CONTAINING 1.5636 acres or 68,109 square feet of land.

#1-8

C0221

27

28

30

N 42° 58' E
1125.48

N 44° 34' 02" W
1285.48

act No. 1, City
and conveyed by
Deed Records of
follows:

Beach tract as
Texas, said
Road (60'

ance of 1552.79

line a distance

a distance of

nt for corner;

POINT OF BEGINNING

and Iron Rod ●
Iron Rod ○

MAP

#1-8

Lehliter/Jameson & A:
CONSULTING ENGINEERING PLAN
1330 Empire Central, Suite 230, Dull

