

ORDINANCE NO. 2400
File No. 341-1

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 COMMERCIAL ON A 2.36188 ACRE TRACT LOCATED NORTHEAST OF THE BELT LINE ROAD AND LAKE JUNE ROAD 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 (\$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 Commercial on a 2.36188 acre tract located northeast of the Belt Line Road and Lake June Road intersection; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 16th day of March A.D., 1987.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel
Lynn Prugel
City Secretary

Elizabeth A. Lunday
Elizabeth A. Lunday
Assistant City Attorney

C0011

NEW MARKET RD
TRAVIS WILLIAMS
ATHLETIC COMPLEX
PD 2025
(PATIO) R-1

PD 2024 (PATIO)
GR 2216 R-1A
GR BRUTON R-2

PD 1867
CHANGE OF ZONING: Vernon L. Yarbrough
From Agriculture to Commercial. Located
northeast of the Belt Line Road and Lake
June Road intersection, fronting the east
side of Belt Line Road.
File No. 341-1

Residential:
R-1, R-2, R-3-Single Family; PD-Planned
Development
A-1, A-2, A-3-Apartments; PD-Planned
Development
Business:
O-Office; GN-General Retail; MU-Mixed
Use; SB-Service Station; LC-Light
Commercial; C-Commercial; CBD-Central
Business District; I-Industrial

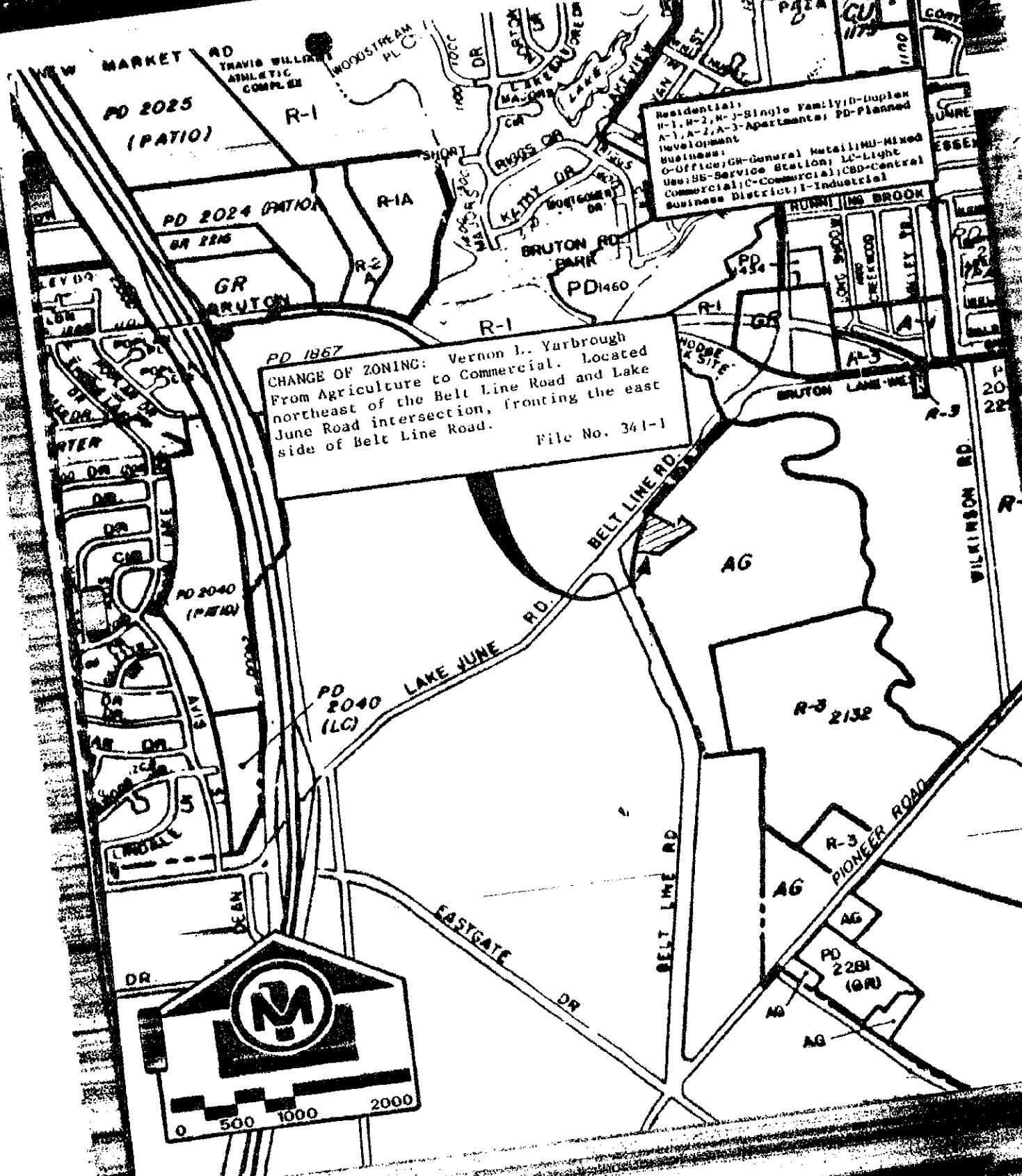
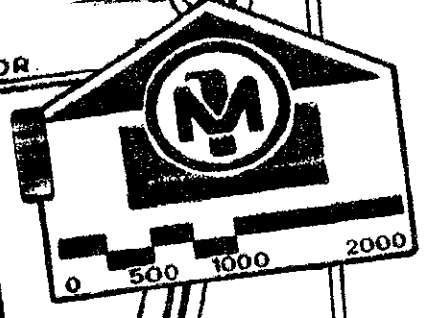
PD 2040
(PATIO)

PD 2040
(LC)

R-3 2132

R-3

PD 2281
(GR)



SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful survey on the ground of the following described property, to-wit:

Being a tract of land situated in Dallas County, Texas, out of the ALEXANDER CHUMLEY SURVEY, ABSTRACT NO. 341, and being part of a certain 43.60 acre tract of land conveyed by John A. Moorman, et ux, to Ray B. Smith, et ux, by Deed dated June 15, 1953, recorded in Volume 3870, Page 639 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the Easterly line of Belt Line Road with the Southerly line of said Smith 43.60 acre tract; THENCE North $10^{\circ} 32'$ West with said line of Belt Line Road, a distance of 70.22 feet to the beginning of a curve to the right having a radius of 895.40 feet and a central angle of $32^{\circ} 40' 32''$; THENCE Northerly with said curving line of Belt Line Road, a distance of 510.64 feet to the place of BEGINNING;

THENCE continuing along said curve of Belt Line Road having a radius of 895.40 feet and a central angle of $22^{\circ} 54' 41''$, an arc length of 358.05 feet to a 1/2" iron rod for corner;

THENCE South $44^{\circ} 56' 47''$ East, a distance of 200 feet to a 1/2" iron rod for corner in a curve to the right having a radius of 695.4 feet and a central angle of $0^{\circ} 33' 47''$;

THENCE along said curve to the right, an arc length of 6.83 feet to the end of said curve;

THENCE North $45^{\circ} 37'$ East, a distance of 103.17 feet to a 1/2" iron rod for corner;

THENCE South $44^{\circ} 56' 47''$ East, a distance of 176.27 feet to a 1/2" iron rod for corner;

THENCE South $62^{\circ} 53'$ West, a distance of 399.92 feet to a 1/2" iron rod for corner;

THENCE North $67^{\circ} 51' 28''$ West, a distance of 200.07 feet to the place of BEGINNING and containing 102,883.57 square feet or 2.36188 acres of land.

File No. 3-11-1