

ORDINANCE NO. 2491  
File No. 1667-1

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 OFFICE TO CONDITIONAL USE IN OFFICE FOR A DAY NURSERY ON A 1.0 ACRE TRACT LOCATED 1,544 FEET SOUTH OF NEWSOM ROAD, FRONTING THE EAST SIDE OF CLAY-MATHIS ROAD; CITY OF MESQUITE, DALLAS COUNTY, TEXAS; 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; 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; PROVIDING A SEVERABILITY CLAUSE; 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 Office to Conditional Use in Office for a Day Nursery on a 1.0 acre tract located 1,544 feet south of Newsom Road, fronting the east side of Clay-Mathis Road.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 Dollars (\$200.00) 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 7th day of December, A.D., 1987.

  
George A. Venner, Sr.  
Mayor

ATTEST:

  
Lynn Prugel  
City Secretary

APPROVED:

  
Nathaniel Graham  
City Attorney

000157

TRACT 7

TRACT 8

TRACT 11

CLAY-MATHIS ROAD

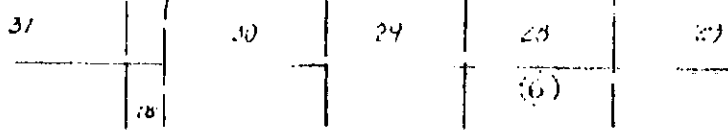
Inter Survey  
of 1962

NOTE: CURBS & MEDIAN  
ENINCS SHOWN WERE  
REN FROM PLANS &  
T FROM ACTUAL TIES  
FIELD!

Total: 1.0074 AC. 43,703.59 Sq Ft  
Easmt: .0071 AC. 313.59 Sq Ft  
Net: 1.0000 AC. 43,560.39 Sq Ft

Alley Easmt  
Vol 86119 Pg 5541  
J = 70° 00' 00"  
R = 40.00'  
T = 40.00'  
L = 12.83'

POINT OF  
BEGINNING



CREEK CROSSING ESTAB.  
PHASE ONE  
Vol 86166 Pg 4172



FIELD NOTES

BEING a tract of land situated in the A. B. Lanier Survey, Abstract No. 1662, City of Mesquite, Dallas County, Texas, being part of a tract of land conveyed by deed to Baker & Associates No. 1, a Joint Venture, as recorded in Volume 84105, Page 5162, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found at the Northwest corner of Lot 31, Block 6 and being a corner of Creek Crossing Estates 1, Phase One, an addition to the City of Mesquite, as recorded in Volume 86166, Page 4192, Deed Records of Dallas County, Texas; said point also being in the East line of Clay-Mathis Road (100' R.O.W.);

THENCE North  $1^{\circ}50'40''$  West, along said East line of Clay-Mathis Road a distance of 133.04 ft. to an iron rod set for a corner;

THENCE North  $88^{\circ}09'20''$  East, departing said East line of Clay-Mathis Road a distance of 330.00 ft. to an iron rod set for a corner; said point being in the West line of an 18' alley R.O.W. of said Creek Crossing Estates 1, Phase One;

THENCE South  $1^{\circ}50'40''$  East, along said West line of alley R.O.W. a distance of 133.04 ft. to an iron rod found for a corner; said point being in the North line of an 18' alley R.O.W. of said addition;

THENCE South  $88^{\circ}09'20''$  West, along said North line of alley R.O.W. a distance of 250 ft.; thence along North line of said Lot 31, Block 6, a distance of 80.00 ft. for a combined distance of 330.00 ft. to the Point of Beginning and containing 1.0079 acres (43,903 sq. ft.) save and except .0079 acre (343 sq. ft.) in alley easement as recorded in Volume 86119, Page 5541 of Deed Records of Dallas County, Texas, leaving 1.0000 acre (43,560 sq. ft.) net of land.

To any Person, firm or corporation relying upon the accuracy of this survey or plat, I, David E. Pierson, Registered Public Surveyor, State of Texas, do certify that this plat represents measurements performed upon the ground under my supervision, and indicates all set back lines, easements, and fences as they are visible on the ground, and that all improvements, if any, are wholly within the boundary lines of the property, and that there are no encroachments, conflicts, protrusions, or other matters involved, except as herein stated.