

ORDINANCE NO. 2514  
File No. 1028-8

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, SO AS TO GRANT A CHANGE OF ZONING FROM PLANNED DEVELOPMENT MULTIFAMILY AT 20 UNITS PER ACRE TO AN AMENDMENT TO PLANNED DEVELOPMENT ORDINANCE #1775 TO ALLOW A DAY CARE CENTER SUBJECT TO THE INSTALLATION OF A LEFT-TURN LANE IN GALLOWAY AVENUE TO SERVE THE PROPERTY AT THE DEVELOPER'S EXPENSE; THE SUBJECT 0.9594 ACRE TRACT IS LOCATED APPROXIMATELY 753 FEET NORTH OF RANGE DRIVE, FRONTING THE EAST SIDE OF NORTH GALLOWAY AVENUE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; 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 Planned Development Multifamily at 20 units per acre to an amendment to Planned Development Ordinance #1775 to allow a day care center subject to the installation of a left-turn lane in Galloway Avenue to serve the property at the developer's expense. The subject 0.9594 acre tract is located approximately 753 feet north of Range Drive, fronting the east side of North Galloway Avenue; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

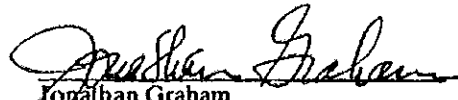
DULY PASSED AND APPROVED by the City of Mesquite, Texas on the 18th day of April, A.D., 1988.

  
George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED:

  
Lynn Prugel  
City Secretary

  
Jonathan Graham  
City Attorney

## OWNER'S CERTIFICATE

CITY OF MESQUITE  
STATE OF TEXAS

WHEREAS, SOUTH CENTRAL FINANCIAL GROUP, IS THE SOLE OWNER OF A TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS AND BEING OUT OF THE MCKINNEY AND WILLIAMS SURVEY, ABSTRACT NO. 1028 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHWEST CORNER OF PINE OAKS ADDITION, AN ADDITION TO THE CITY OF MESQUITE AS RECORDED IN VOLUME 84077 AT PAGE 1918 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS; AND ALSO BEING A POINT ON THE EASTERLY LINE OF NORTH GALLOWAY AVENUE (100.0 FEET R.O.W.) FROM WHICH THE INTERSECTION OF THE EASTERLY LINE OF NORTH GALLOWAY AVENUE WITH THE NORTHERLY LINE OF RANGE DRIVE (60.0 FEET R.O.W.) BEARS S 45° 00' 00" E, A DISTANCE OF 1032.72 FEET;

THENCE NORTH 45° 17' 30" EAST, A DISTANCE OF 150.00 FEET TO A POINT FOR CORNER;

THENCE SOUTH 45° 00' 00" EAST, A DISTANCE OF 278.24 FEET TO A POINT FOR CORNER;

THENCE SOUTH 45° 00' 00" WEST, A DISTANCE OF 150.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID NORTH GALLOWAY AVENUE;

THENCE NORTH 45° 00' 00" WEST ALONG THE EASTERLY LINE OF SAID NORTH GALLOWAY AVENUE, A DISTANCE OF 279.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 41,793 SQUARE FEET OR 0.9594 ACRES OF LAND, MORE OR LESS.

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