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ORDINANCE NO. 2609
File No. LAW-1

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, SO AS TO GRANT A CHANGE OF ZONING FROM AGRICULTURE TO LIGHT COMMERCIAL; 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 Agriculture to Light Commercial on a 0.24 acre tract. The subject tract is located approximately 688 feet east of Chapelwood Boulevard, fronting the south side of R1 20; City of Mesquite, Dallas County, Texas. Approved field notes of this tract are attached as Exhibit "A".

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

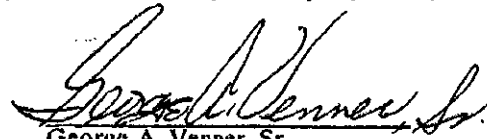
SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided 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 as amended, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2000.00) 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.

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DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd day of July, 1989.



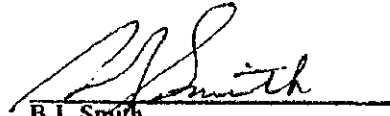
George A. Venner, Sr.
Mayor

ATTEST:

APPROVED:



Lynn Prugel
City Secretary

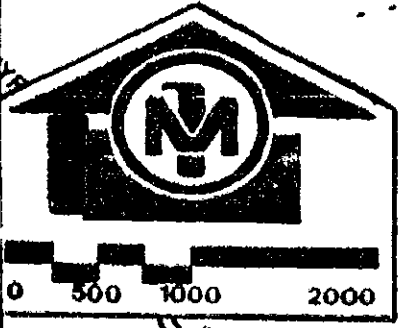
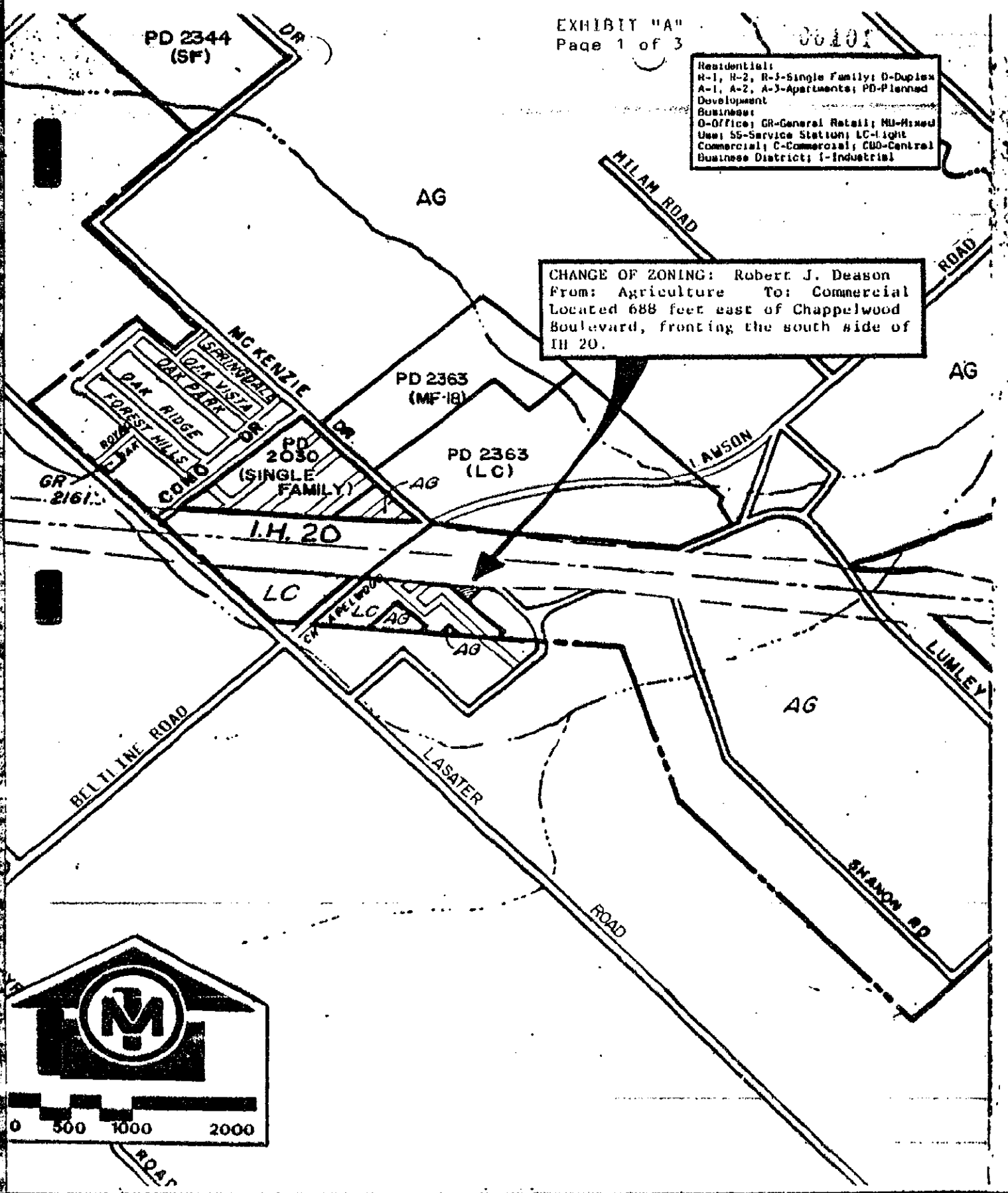


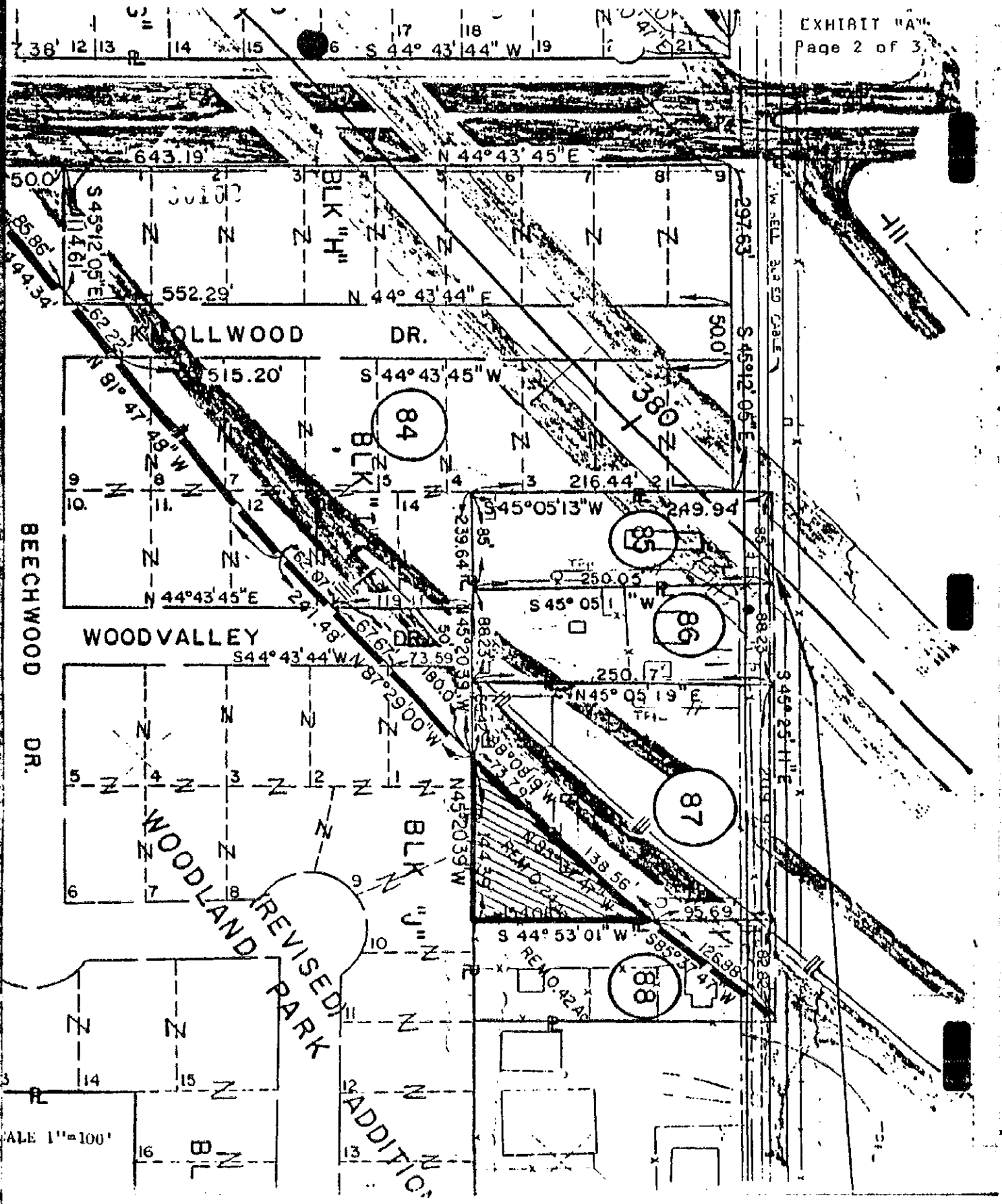
B.J. Smith
City Attorney

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

CHANGE OF ZONING: Robert J. Deason
 From: Agriculture To: Commercial
 Located 688 feet east of Chappelwood
 Boulevard, fronting the south side of
 IH 20.





the County of Dallas State of Texas all that certain
tract, or parcel of land situated in Dallas County, Texas, to wit:
being a part of the JOHN P. ANDERSON LEAGUE NO. 36, Abstract No. 1,
described as follows:
BEGINNING at the North corner of the four acre tract of land described
in a Deed executed by M. A. Lanier et al to L. Q. Miller dated 5/7/1900
recorded in Volume 25, page 521, Deed Records, Dallas County, Texas;
THENCE South 45 deg. West 247-1/2 feet to the West corner of said tract;
THENCE South 45 deg. East along the Southwest line of said tract, 210
feet;
THENCE North 45 deg. East 247-1/2 feet to the Northeast line of said
tract;
THENCE North 45 deg. West 210 feet to the place of beginning; containing
1/6 acres of land; and being the same property conveyed in Deed from
A. Tosch to T. D. Daniel dated 10/11/18, recorded in Volume 749, page
108, Deed Records, Dallas County, Texas; and also in Deed from Annie
Daniel to Jewel Daniel Scott and Onie Daniel Beal dated 7/10/57, recorded
in Volume 4791, page 482, Deed Records, Dallas County, Texas; and also
in Deed from Felton Beal et al to Jewell Daniel Scott dated 6/5/70,
recorded in Volume 71003, page 0798, Deed Records, Dallas County, Texas;

This conveyance is made and accepted subject to an easement and right
of way from T. D. Daniel et ux to Texas Power and Light Company, dated
1/10/44, recorded in Volume 2471, page 112, Deed Records, Dallas
County, Texas; and subject also to any portion of the herein described
property lying within the boundaries of dedicated or existing roadways,
or which may be used for road or street purposes;

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being 0.9650 of an acre of land, more or less, with 0.1133 of an acre thereof in
a public road (McKenzie Road), situated in the J. P. Anderson League Survey, Abstract
No. 1, Dallas County, Texas and being a part of the land conveyed to Robert J. Deason
and wife, Freda P. Deason, by deed dated January 29, 1976 and recorded in Volume
6029, Page 0357, Deed Records of said county; said 0.9650 of an acre, more or less,
being more particularly described by metes and bounds as follows:

COMMENCING at a point in the northeast line of the Woodland Park Addition, Dallas
County, Texas as recorded in Volume 73077, Page 1115, Map Records of said county;
said point also being the southernmost corner of said Deason tract;

THENCE North 45° 20' 39" West along the northeast line of said addition and the
southwest line of said Deason tract a distance of 144.39 feet to the POINT OF
BEGINNING;

THENCE North 45° 20' 39" West continuing along said southwest line a distance of
66.43 feet to a point for a corner;

THENCE North 45° 05' 19" East along the line between said Deason tract and a 0.5
acre tract of land, more or less, conveyed to L. L. Lumley, et ux, by deed dated
July 24, 1946 and recorded in Volume 2919, Page 344, Deed Records of Dallas County,
Texas a distance of 250.17 feet to a point in the centerline of said McKenzie Road;

THENCE South 45° 25' 11" East along the centerline of said McKenzie Road a distance
of 209.92 feet to a point for a corner;

THENCE South 44° 53' 01" West along the southeast line of said Deason tract and the
northwest line of a 0.5 acre tract of land, more or less, conveyed to Nathan G. Cox
by deed dated April 30, 1957 and recorded in Volume 4697, Page 280, Deed Records
of Dallas County, a distance of 95.69 feet to a point for a corner in the new
southern right of way line of I. H. 20;

THENCE South 85° 37' 47" West along the said I. H. 20 right of way line a distance
of 138.56 feet to a point for a corner;

THENCE North 85° 08' 19" West continuing along said I. H. 20 right of way line a
distance of 73.79 feet to the point of beginning.

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