

60049

ORDINANCE NO. 2639

File No. 343-6

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, SO AS TO GRANT A CHANGE OF ZONING FROM R-3 SINGLE FAMILY TO MIXED USE SUBJECT TO REPLATTING AS A SINGLE LOT ON A 0.2071 ACRE TRACT; 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 R-3 Single Family to Mixed Use subject to replatting as a single lot on a 0.2071 acre tract. The subject tract is located at 126 Norwood Drive, 113 feet west of Bryan-Belt Line, fronting the south side of Norwood Drive; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 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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Page 2

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 6th day of November, 1989.



George A. Venner, Sr.
Mayor

ATTEST:



Lynn Prugel
City Secretary

APPROVED:



B.J. Smith
City Attorney

TR. 56

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 126 Norwood Drive, in the City of Mesquite, Texas, described as being all that certain lot, tract or parcel of land situated in the City of Mesquite, Dallas County, Texas, and being out of the WOODFIELD CASTELL SURVEY, ABSTRACT NO. 343 and being more particularly described by metes and bounds as follows:

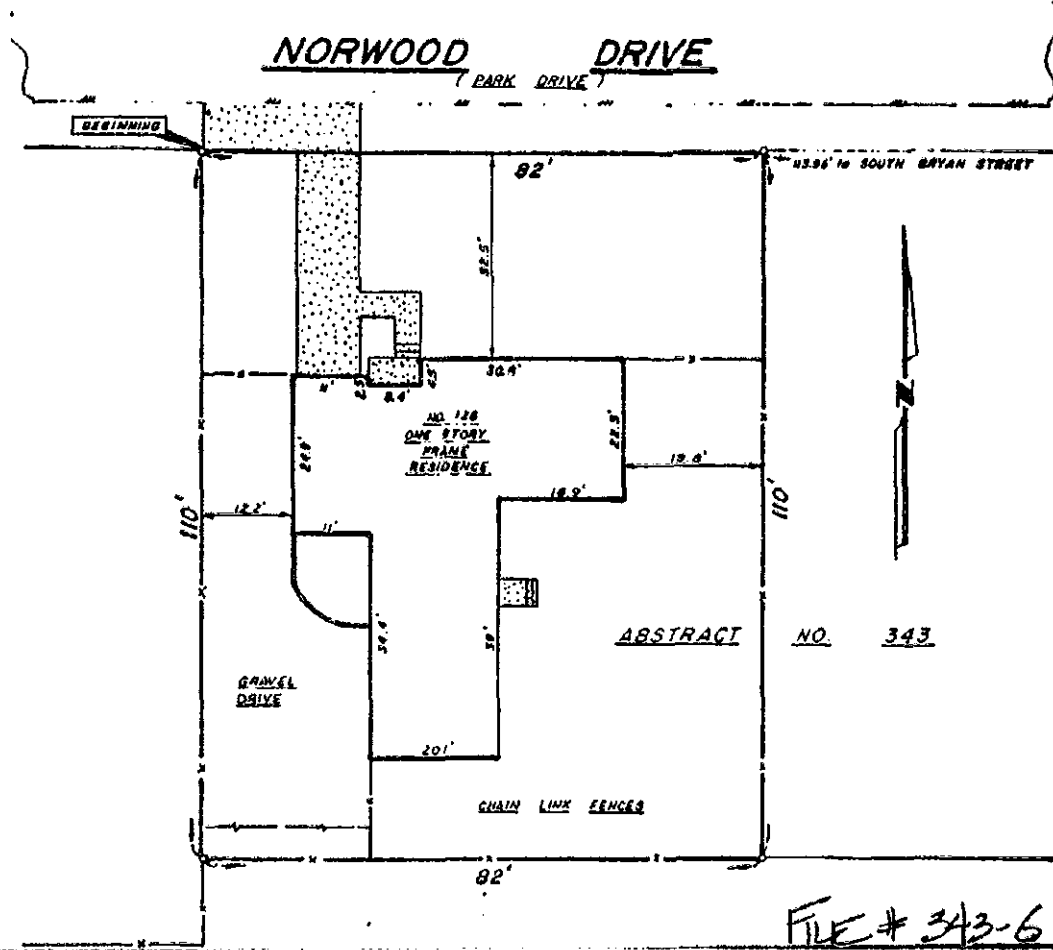
BEGINNING at the Northwest corner of a tract of land conveyed by Florence Jacob Fields et al to J. C. Lewis et ux by deed dated November 1, 1950 filed December 13, 1950, Office of the County Clerk, Dallas County, Texas, said point also being in the South line of (Park Drive) Norwood Drive;

THENCE South 110 feet to the Southwest corner of said J. C. Lewis tract;

THENCE East 82 feet to a point for corner;

THENCE North 110 feet to a point for corner in the South line of (Park Drive) Norwood Drive;

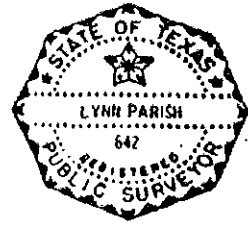
THENCE West 82 feet along the South line of (Park Drive) Norwood Drive to the place of BEGINNING.



No plat herein is a true, correct and accurate representation of the property as determined by survey, subject to any and all easements, restrictions, and encumbrances that may be of record, the lines and dimensions of said property being as indicated by the plat, the size, location and type of building, and improvements are as shown, all improvements being shown the boundaries of the property, not both from property lines the distances indicated, and that the distance from to nearest intersecting street or road is as shown on said plat. There are no encroachments, conflicts or protrusions.

Scale: 1" = 20'	W.O. No. 16204
Date: 12-9-76	Lot No. 15889

Lynn Parish
 LYNN PARISH
 Registered Public Surveyor EV 1 3325
 7800 Military Parkway, Dallas, Texas 75227



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