

ORDINANCE NO. 2734

00177

File No. 1462-207

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO GRANT A CHANGE OF ZONING FROM COMMERCIAL AND PLANNED DEVELOPMENT COMMERCIAL TO INDUSTRIAL; 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 Planning and Zoning 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 Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, 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 Commercial and Planned Development Commercial to Industrial. The subject property is a 17.405 acre tract located at the southwest corner of the Samuel Boulevard and Town East Boulevard intersection; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 Mesquite Zoning Ordinance.

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 Mesquite Zoning Ordinance as a whole.

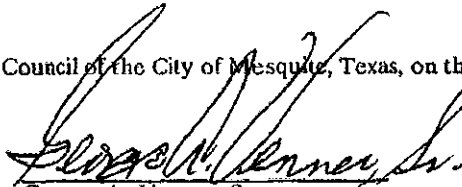
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Mesquite Zoning Ordinance as amended, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) 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 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 1st day of April, 1991.




George A. Venner, Sr.
Mayor

ATTEST:



Lynn Fugel
City Secretary

APPROVED:



B.J. Smith
City Attorney

00179

TYPED DATE: 09/23/88

NUMBER 172244

EXHIBIT "A"

BEING a tract of land situated in the DANIEL TANNER SURVEY, Abstract No. 1462 the J. FOREMAN SURVEY, Abstract No. 483 and the J. FIELD SURVEY, Abstract No. 1622, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the point of intersection of the West line of Town East Blvd., (a 100 foot R.O.W.) and the South line of Samuell Blvd., (a 120 foot R.O.W.), an iron stake found for corner;

THENCE South 0 degree 22 minutes East, along said West line of Town East Blvd., a distance of 479.84 feet to an iron stake set for corner;

THENCE South 44 degrees 43 minutes West, leaving said West line of Town East Blvd., a distance of 907.80 feet to an iron stake found for corner;

THENCE North 45 degrees 11 minutes 02 seconds West, a distance of 374.10 feet to an iron stake set for corner;

THENCE North 44 degrees 43 minutes 00 seconds East, a distance of 27.08 feet to an iron stake set for corner;

THENCE North 0 degree 02 minutes 30 seconds West, a distance of 838.23 feet to a point in the said South line of Samuell Blvd., an iron stake set for corner;

THENCE, along the said South line of Samuell Blvd. the following:

North 89 degrees 35 minutes 01 seconds East, a distance of 362.91 feet to an iron stake found for corner;

North 89 degrees 52 minutes 39 seconds East, a distance of 519.69 feet to the PLACE OF BEGINNING and containing 17.405 acres of land.

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