

ORDINANCE NO. 3104

File No. 1-23

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 APPROVE A CHANGE OF ZONING FROM PLANNED DEVELOPMENT MULTIFAMILY TO AGRICULTURAL; 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 approve a change of zoning from Planned Development Multifamily to Agricultural. The subject 29.3125 acre tract is located north of I-20 between McKenzie Drive and Lawson Road; City of Mesquite, Dallas County, Texas, as shown in the attached 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 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.

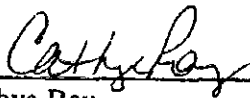
SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the

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.

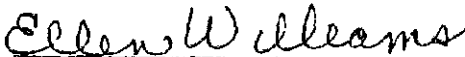
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 19th day of August, 1996.




Cathye Ray
Mayor

ATTEST:

APPROVED:



Ellen Williams
City Secretary



B.J. Smith
City Attorney

BEING a tract of land situated in the John P. Anderson Survey, Abstract No. 1 in Dallas County, Texas and being more particularly described as follows:

COMMENCING at the northeast corner of the Woodland Park Addition as per map recorded in Volume 72024, Page 2639 of the map records of Dallas County, Texa: said commencing point being the intersection of the centerline of Como Road with the original centerline of McKenzie Road (being 30 feet northeast of the present southwest line);

THENCE S $45^{\circ}00'08''$ E, along the original centerline of said McKenzie Road a distance of 162.40 feet;

THENCE N $45^{\circ}47'36''$ E, a distance of 20.00 feet to an iron rod to the POINT OF BEGINNING;

THENCE N $45^{\circ}47'36''$ E, for a distance of 1751.70 feet to a point for corner;

THENCE S $44^{\circ}47'43''$ E, for a distance of 992.00 feet to a point for corner;

THENCE S $45^{\circ}12'17''$ W, for a distance of 490.00 feet to a point for corner;

THENCE N $89^{\circ}47'43''$ W, for a distance of 48.60 feet to a point for corner;

THENCE N $44^{\circ}47'43''$ W, for a distance of 355.07 feet to a point for corner;

THENCE S $44^{\circ}59'52''$ W, for a distance of 1225.00 feet to a point for corner, said point being in the northeast line of said McKenzie Road;

THENCE N $45^{\circ}00'08''$ W, along the northeast line of McKenzie Road for a distance of 625.00 feet to the POINT OF BEGINNING and CONTAINING 1,276,852.04 square feet or 29.3125 acres of land.

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