

ORDINANCE NO. 3511

File No. 1189-2

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 AGRICULTURE TO PLANNED DEVELOPMENT MIXED-USE DISTRICT SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; 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 changes 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 Agriculture to Planned Development Mixed-Use District with the following stipulations, provisions and regulations:

1. That the subject property shall be added to and become a part of Tract 4 of the Planned Development District known as Falcon's Lair and as set out in Ordinance Nos. 3287 and 3431; and
2. That all development standards set out in Exhibits C and D of Ordinance No. 3431 shall apply to the entirety of the enlarged Parcel 4 area including the subject property; and
3. That all other requirements and stipulations of Ordinance No. 3287 applicable to Parcel 4 shall apply to the subject property.

That the subject property is a 98.39-acre tract located at the east corner of the Lawson Road and Berry Road intersection, more fully described in the approved field notes 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

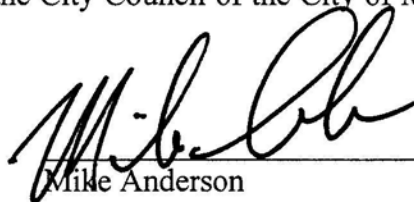
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042, codified in Chapter 11 of the Code of the City of Mesquite.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

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 upon conviction in the Municipal Court, shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 7. That 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.

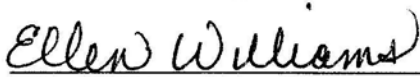
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of August, 2002.




Mike Anderson
Mayor

ATTEST:

APPROVED:



Ellen Williams
City Secretary



B. J. Smith
City Attorney

PROPERTY DESCRIPTION

BEING a 1.601 acre tract of land out of the James S. Ramsey Survey, Abstract No. 1189 and being part of Lot 2 of the partition of the Estate of J. M. Tolliver deed recorded in Volume 0, Page 242 of the Probate Minutes of Dallas County, Texas, said tract lying between two tracts of land, on the Westerly side a called 100.00 acre tract (Robin Ena Lardner, Betty Jane Hart, John Reed) as described in Volume 83235, Page 450 and on the Easterly side by Volume 92060, Page 3054 (Gibson's Outpost and Shooting Range, Inc.) in Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found in the centerline of Lawson Road, said point being the common point of the two deeds of said Read and Gibson's Tract;

THENCE: S 48° 20' 08" E, 1563.07 feet, generally, with a wire fenced along the Westerly line of said Gibson's Tract to a ½ inch iron rod set in the high bank of the Trinity River;

THENCE: S 61° 26' 17" W, 94.82 feet along the high bank of the Trinity River to a ½ inch iron rod set in the Easterly line of said Read (100 acres) Tract;

THENCE: N 45° 00' 00" W, 1533.59 feet along the Easterly line of said Read Tract (100 acres) to the PLACE OF BEGINNING and containing 1.601 acres of land.

July 30, 1998



J. L. LANE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2509

Lane's Southwest Surveying, Inc.
2717 Motley Drive, Suite "B"
Mesquite, Texas 75150

BEING a tract of land in part of the James S. Ramsey Survey, Abstract No. 1189 as described in Volume 83235, Page 450, Deed Records, Dallas County, Texas and being Lot One (1) of the portion of the Estate of J.M. Tolliver deed of record in Volume 0, Page 242 of the Probate Minutes of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the Center line of Lawson Road (a proposed 110' ROW), point being 263.51 feet from its intersection with the Northerly ROW line of Perry Street (an existing 60' ROW), said point also being the Northerly corner of a called Tract I, 567.10 acre tract conveyed to Falcon's Lair, LP in Volume 97204, Page 2005, Deed Records, Dallas County, Texas;

THENCE S 45 degrees 00 minutes 00 seconds E, 2243.24 feet along the common line of Falcon's Lair Tract and generally along a fence to a 1/2 inch iron rod set at the high bank of the Trinity River for corner;

THENCE the following calls along the high bank of the Trinity River:

S 82 degrees 06 minutes 52 seconds E, 134.53 feet to a 1/2 inch iron rod set for corner;

S 52 degrees 55 minutes 42 seconds E, 145.16 feet to an angle point for corner;

S 51 degrees 37 minutes 40 seconds E, 101.65 feet to an angle point for corner;

S 59 degrees 39 minutes 30 seconds E, 141.33 feet to an angle point for corner;

S 71 degrees 39 minutes 54 seconds E, 169.57 feet to an angle point for corner;

S 67 degrees 51 minutes 28 seconds E, 147.24 feet to an angle point for corner;

S 66 degrees 53 minutes 34 seconds E, 123.36 feet to an angle point for corner;

S 61 degrees 24 minutes 33 seconds E, 194.55 feet to an angle point for corner;

S 39 degrees 12 minutes 59 seconds E, 117.51 feet to an angle point for corner;

S 67 degrees 45 minutes 14 seconds E, 146.23 feet to an angle point for corner;

N 10 degrees 00 minutes 41 seconds E, 142.07 feet to an angle point for corner;

N 15 degrees 23 minutes 45 seconds E, 177.00 feet to an angle point for corner;

N 05 degrees 23 minutes 14 seconds E, 194.70 feet to an angle point for corner;

N 18 degrees 59 minutes 09 seconds E, 101.57 feet to an angle point for corner;

N 13 degrees 04 minutes 29 seconds E, 198.14 feet to an angle point for corner;
N 23 degrees 13 minutes 45 seconds W, 180.43 feet to an angle point for corner;
N 76 degrees 22 minutes 48 seconds W, 462.47 feet to an angle point for corner;
N 42 degrees 10 minutes 52 seconds W, 357.64 feet to an angle point for corner;
N 24 degrees 20 minutes 28 seconds W, 356.87 feet to an angle point for corner;
N 12 degrees 50 minutes 51 seconds W, 141.57 feet to an angle point for corner;
N 06 degrees 35 minutes 34 seconds E, 280.26 feet to a 1/2 inch iron rod set
for corner;
N 36 degrees 54 minutes 07 seconds E, 138.35 feet to a 1/2 inch iron rod set
for corner;

THENCE N 45 degrees 00 minutes 00 seconds W, 1533.59 feet to a found iron rod
with cap for corner in the center line of Lawson Road, point also being the
Westerly corner of a 31.76 acre tract conveyed to Gibson's Outpost and Shooting
Range, Inc., recorded in Volume 92060, Page 3084, Deed Records, Dallas County,
Texas;

THENCE S 45 degrees 00 minutes 00 seconds W, 1571.10 feet along the center line
of Lawson Road to the PLACE OF BEGINNING and containing 96.7903 acres of land.