

ORDINANCE NO. 3529
File No. 594-32

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-OFFICE/MULTIFAMILY TO PLANNED DEVELOPMENT-OFFICE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS 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 on property zoned Planned Development-Office/Multifamily, being a 6.009-acre tract located approximately 500 feet south of the Americana Lane and North Galloway Avenue intersection and is more fully described in the approved field notes in Exhibits "A" and "B" attached hereto, to Planned Development-Office.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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

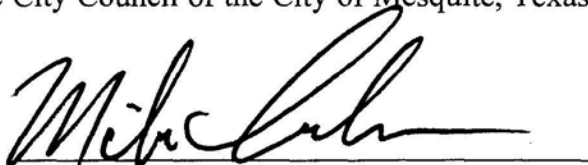
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042, codified in Chapter 11 of 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 (\$2,000.00) Dollars 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.

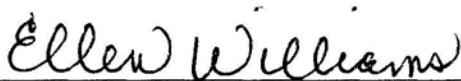
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 7th day of October, 2002.



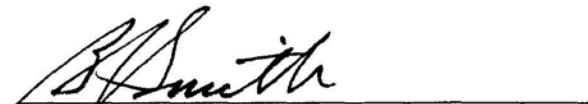
Mike Anderson
Mayor

ATTEST:

APPROVED:



Ellen Williams
City Secretary



B. J. Smith
City Attorney

EXHIBIT A
File No. 594-32

BEING a tract of land situated in the Henry Harter Survey, Abstract No. 594, City of Mesquite, Dallas County, Texas and being part of that certain 11.49 acre tract conveyed to Town East/Gus Thomasson Joint Venture by deed recorded in Volume 94025, Page 2115, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found in the East ROW line of Galloway Avenue (a 100' ROW), S 00° 27' 41" W, a distance of approximately 426.69 feet from the intersection of the East ROW line of Galloway Avenue with the South ROW line Americana Lane, said iron rod also being at the Southwest corner of Lot 1, Block 6, Galloway Medical Arts Addition, recorded in Volume 98147, Page 2016, Deed Records, Dallas County, Texas and the Northwest corner of the remainder of said Town East/Gus Thomasson tract;

THENCE: S 89° 32' 20" E, along the common line of said Lot 1 and said Town East/Gus Thomasson tract, a distance of 556.38 feet to a point for corner in the Westerly line of Quail Hollow Addition, recorded in Volume 81094, Page 2023, Deed Records, Dallas County, Texas, said point also being at the Northeast corner of the remainder of said Town East/Gus Thomasson tract;

THENCE: S 31° 30' 00" E, along the common line of said Quail Hollow Addition and said Town East/Gus Thomasson tract, a distance of 244.65 feet to a point at the beginning of a curve to the left, having a central angle of 08° 00' 00", a radius of 475.00 feet and a chord bearing S 35° 30' 00" E, a distance of 66.27 feet;

THENCE: along said common line and said curve to the left, an arc distance of 66.32 feet to a point;

THENCE: S 39° 30' 00" E, along said common line, a distance of 70.00 feet to a point for corner;

THENCE: S 50° 30' 00" W, along said common line, a distance of 100.00 feet to a point for corner;

THENCE: N 39° 30' 00" W, along said common line, a distance of 70.00 feet to a point at the beginning of a curve to the right, having a central angle of 05° 17' 00", a radius of 575.00 feet and a chord bearing N 36° 51' 30" W, a distance of 53.00 feet;

THENCE: along said common line and said curve to the right, an arc distance of 53.02 feet to a point;

THENCE: S 40° 30' 00" W, along said common line, a distance of 162.16 feet to a 1/2 inch iron rod found;

THENCE: S 00° 38' 42" W, along said common line, a distance of 1.17 feet to a 5/8 inch iron rod found for corner at the Southeast corner of the remainder of said Town East/Gus Thomasson tract and the Northeast corner of a tract of land conveyed to Mohammad Sarwar and wife, Zahida Sarwar by deed recorded in Volume 2001101, Page 6355, Deed Records, Dallas County, Texas;

THENCE: N 89° 32' 20" W, along the common line of said Town East/Gus Thomasson tract and said Sarwar tract, a distance of 511.70 feet to a 5/8 inch iron rod found for corner in the East ROW line of Galloway Avenue, iron rod also being at the Southwest corner of the remainder of said Town East/Gus Thomasson tract and the Northwest corner of said Sarwar tract;

THENCE: N 00° 27' 41" E, along the East ROW line of Galloway Avenue and the West line of the remainder of said Town East/Gus Thomasson tract, a distance of 408.60 feet to the PLACE OF BEGINNING and containing 6.0096 acres of land.



#426.69 TO
AMERICANA LN

LOT 1 BLOCK 6
GALLOWAY MEDICAL ARTS
VOL 98147 PG 2016

BEGINNING
POINT

6.0096 AC

QUAIL HOLLOW
VOL 81094 PG 2023

GALLOWAY AVE.

2.00 AC
MOHAMMAD SARWAR
VOL 2001101 PG 6355

OWNER:
TOWN EAST/GUS THOMASSON JV

EXHIBIT B
File No. 594-32