

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 R-1 SINGLE FAMILY AND AGRICULTURAL TO PLANNED DEVELOPMENT - MIXED USE ON TRACT I AND FROM AGRICULTURAL TO PLANNED DEVELOPMENT - MIXED USE ON TRACT II SUBJECT TO CERTAIN STIPULATIONS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR 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 from R-1 Single Family and Agricultural to Planned Development – Mixed Use on Tract 1 and from Agricultural to Planned Development - Mixed Use on Tract II subject to the following stipulations:

1. Concept Plan

The Planned Development (“PD”) shall be developed consistent with the Concept Plan attached hereto as Exhibit “A.” Where the Concept Plan and PD ordinance text are in conflict, the ordinance text shall govern.

2. The uses permitted with the PD may include and shall be limited to the following:

- | | | | |
|----|---------------|---------------------------|---|
| a. | SIC Group 54 | Food Stores | Except SIC 549:
Miscellaneous Food
Stores |
| b. | SIC Code 5812 | Eating, Drinking Places | Except SIC 5812a:
Drive-In Restaurants |
| c. | SIC Code 5992 | Florists | |
| d. | SIC Group 64 | Insurance Agents, Brokers | |

- e. SIC Group 72 Personal Services Except SIC 721:
Laundry, Cleaning,
Garment Services and
SIC 7299:
Miscellaneous
Personal Services
 - f. SIC Group 73 Business Services Except SIC 734 – 738
 - g. SIC Code 753a Minor Automotive Repair, Services, provided that
such use shall be limited to one in number and
approved by a non-transferable Conditional Use
Permit. A Conditional Use Permit is hereby granted to
Discount Tire Center and its corporate successors.
 - h. SIC Group 80 Health Services Except SIC 806:
Hospitals
 - i. SIC Group 81 Legal Services
 - j. SIC Group 87 Engineering, Accounting,
Research, Management
Services
3. Used merchandise sales, including used tires, shall be prohibited. All minor automotive repair and services shall be performed within a building.
4. Signage
- a. One monument sign shall be permitted within the PD. The sign may be used to advertise any use permitted and operating within the PD, regardless of individual lot lines, and shall be considered on-premises signage. Except as provided herein, said sign shall conform to the standards of the Sign Ordinance.
 - b. The height of the sign shall not exceed 15 feet from grade. The monument width shall not exceed 10 feet.
 - c. The sign face shall not exceed 80 square feet.
5. Landscaping shall include:
- a. All trees and landscape planting materials shall consist of heat and drought-tolerant plants as identified in the attached hereto Exhibit “B”: Xeriscape – North Texas.
 - b. One large shade tree at a maximum of every 30 feet measured on center along IH-30, Greenbelt Parkway and sidewalks adjacent to the buildings.

- c. All trees planted along the street and within the sidewalk tree wells shall consist of large shade trees with an “oval” or “ball” form tree as identified in Exhibit “B.”
- d. All parking islands shall be landscaped with grasses, perennials and shrubs.
- e. Parking screens shall be provided as follows:
 - i. Along IH-30 consisting of woody annuals, perennial and annual native plants along with shrubs. The shrubs shall be installed with a minimum height of three feet and maintained at a minimum height of four feet at maturity.
 - ii. Along Greenbelt Parkway consisting of zebra grass with a minimum height of four feet.

6. Fences and Screening

The requirement for masonry screening walls from residential zoned properties shall not apply for the PD.

7. Outdoor Display and/or Storage shall be prohibited.

8. Pedestrian Facilities

- a. The sidewalks, adjacent to the buildings along IH-30 and Greenbelt Parkway shall be 10 feet wide with five foot by five foot tree wells with grates located every 30 feet on center at the outside edge of the sidewalk.
- b. The pedestrian plaza located between the two buildings shall consist of the following:
 - i. A pedestrian linkage from the parking lot to the south and to the parking to the north.
 - ii. The pedestrian plaza shall be screened from the northern parking area with a solid living landscape screen consisting of shrubs, woody annuals, perennial and annual plants native at a minimum height of six feet.
 - iii. No more than 50 percent of the pedestrian plaza shall be hardscaped.
 - iv. Pedestrian furniture.
 - v. Bike rack.

9. Civic Space and Trails

- a. The unimproved area located at the northeast corner of the PD shall be identified as a Civic Space with the following:
 - i. One large shade tree at a maximum of every 30 feet measured on center along Greenbelt Parkway and the northern boundary line.
 - ii. The adjacent parking area shall be visually screened from the Civic Space with ornamental trees placed every 25 feet on center, shrubs and woody annuals at a minimum height of five feet.
- b. The City shall have the right, but not the obligation, to use a portion of the Civic Space on the Concept Plan as a trailhead for the Mesquite Parks and Trails System, and may install and maintain trailhead improvements at its expense within the Civic Space.
- c. At the time of platting, the applicant shall dedicate to the City for public use the 9.58-acre tract which may be used for an extension of the City's Master Trail System connecting the southwest corner of the subject property to the trailhead area located within the Civic Space.

10. Building Appearance and Form Standards

- a. Maximum height – none.
- b. There shall be no building setback requirements in the PD except as provided herein. Buildings shall align and be located as shown in the Concept Plan.
- c. Buildings and site design shall comply with the Community Appearance Manual. All facades shall include 100 percent unitized masonry excluding architectural features required by the Manual. Façade elevations for the Discount Tire Center shall conform substantially to Exhibit "C," attached hereto, and subject to final approval per the Community Appearance Manual. The building closest to the intersection of IH-30 and Greenbelt Parkway shall include a corner tower as a massing element that is at least 20 percent taller than the adjacent façade cap.

11. Parking

- a. Parking shall be provided as generally shown on the Concept Plan.
- b. All parking rows shall be bounded by a landscaped area or a landscaped parking island.
- c. All parking spaces within the PD shall be shared between all uses regardless of individual lot lines.

- d. The parking area adjacent to the Civic Space shall be accessible to and may be used by the general public for access to the trailhead.

That the subject property is a 12.79-acre tract located at the northwest corner of Greenbelt Parkway and IH-30, and is described more fully in the approved field notes in Exhibit "D" attached hereto.

SECTION 2. 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 3. 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 Mesquite City Code.

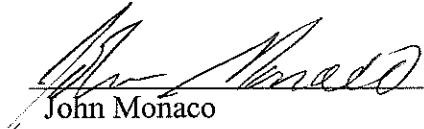
SECTION 4. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 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 20th day of January, 2009.




John Monaco
Mayor

ATTEST:

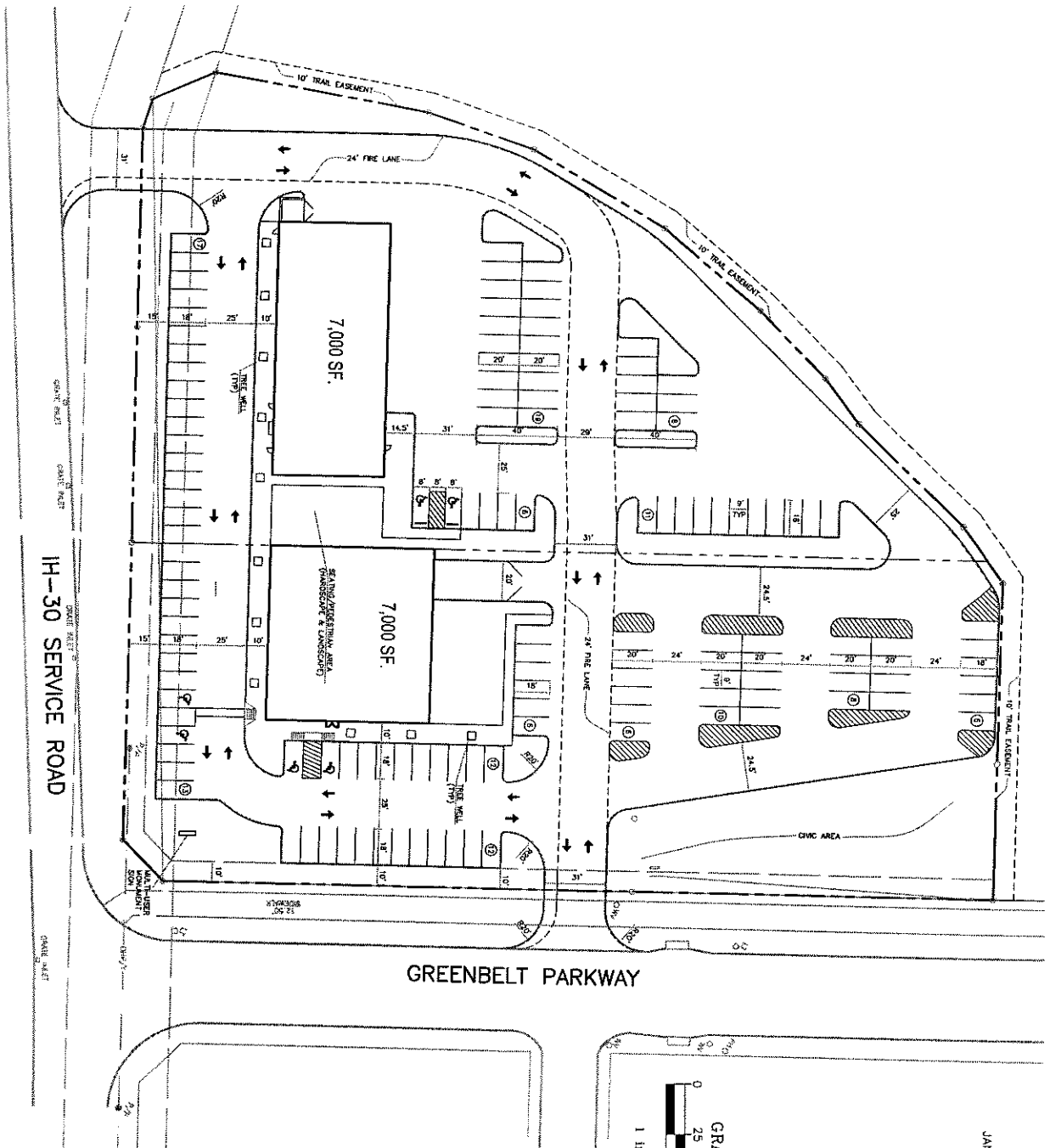


Judy Womack
City Secretary

APPROVED:



B. J. Smith
City Attorney



GREENBELT PARKWAY

IH-30 SERVICE ROAD

JAN. 07, 2009

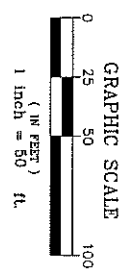


Exhibit B: Xeriscape - North Texas

Heat & Drought-Tolerant Plants

Native & Adapted

Shade Trees – Large Canopy

American Elm (Vase)	Pecan-Hickory (Vase)
Black Hickory (Oval)	Post Oak (Vase)
Bur Oak (Vase)	Red Maple (Vase)
Cedar Elm (Vase)	Red Oak (Oval)
Chinese Tallow (Ball)	Southern Magnolia (Oval)
Chinkapin Oak (Vase)	Sweetgum (Vase)
Green Ash (Ball)	Thornless Honey Locust
Lacebark Elm (Vase)	(Umbrella)
Live Oak (Umbrella)	White Oak (Vase)
Mesquite (Umbrella/Vase)	Winged Elm (Vase)

Shade Trees – Small Canopy

Bald Cypress (Oval)	Ginkgo (Vase)
Chinese Pistachio (Ball)	Goldenrain Tree (Ball)
Desert Willow (Vase)	River Birch (Vase)

Evergreen Trees

Arizona Cypress (Pyramid)	Eastern Red Cedar
Austrian Pine (Ball)	(Pyramid)
Deodar Cedar (Pyramid)	Japanese Black Pine (Ball)
	Savannah Holly (Oval)

Ornamental Trees

Aristocrat Pear (Oval)	Purple Leaf Plum (Ball)
Crab Apple (Ball)	Red Bud (Umbrella)
Crape Myrtle (Vase)	Wax Myrtle (Ball)
Deciduous Holly (Vase)	Yaupon Holly (Ball)
Flowering Peach (Ball)	Vitex (Ball)

Other Protected Trees

Pond Cypress (Pyramid)	Western Soapberry (Vase)
Texas Ash (Ball)	

Shrubs & Woody Annuals

Abelia	Fragrant Sumac
Agarito	Red Yucca
Althea	Salvia Species
American Beauty Berry	Texas Sage
Arkansas Yucca	Texas Star Hibiscus
Blue Carpet Juniper	Texas Lantana
Copper Canyon Daisy	Turk's Cap
Flame Acanthus	

Perennial & Annual Native Plants

Barbra's Buttons	Mealy Blue Sage
Bergamot	Mexican Hat
Big Red Salvia	Milkweed
Bitterweed	Missouri Primrose
Blackfoot Daisy	Moss Rose
Bluebonnets	Partridge Pea
Blue-eyed Grass	Pink Evening Primrose
Blue Flax	Prairie Verbena
Calyophus	Purple Cone Flower
Cedar Sage	(Echinaceae Apcc.)
Coreopsis	Rudbeckia
Cow Pen Daisy	Ruellia
Drummond Phlox	Salvia Coccinea
Engelmann Daisy Fall	Skullcap
Obedient Plant	Snow-on-the-Prairie
Eryngo	Spiderwort
Fall Obedient Plant	Spring Rain Lily
Four-nerve Daisy	Standing Cypress
(Hymenoxys)	Texas Bluebell
Gaillardia	Two-leaved Senna
Green-thread	Wild Ageratum
Horseshoe	Wild Foxglove (P. cobe)
Lantana species	Wild Hyacinth
Liatris Species	Wine-cups
Maximilian Sunflower	Zexmenia
	Zebra grass

Ground Covers & Vines, Natives

Cardinal Vine	Frogfruit
Carolina Jessamine	Horseshoe
Climbing Prairie Rose	Hyacinth Bean Vine
Coralberry	MO Violets
Coral Honeysuckle	Trumpet Vine
Crossvine	Passion Vine
Cypress Vine	

Non-Native

Ajuga	Mondo Grass
Artemesia	Sedum
Asian Jasmine	Thrift
English Ivy	Vinca Minor
Litrope	

Grasses

Big Blue Stem	Inland Seaoats
Buffalo Grass	Lindheimer Muhly
Eastern Gamma Grass	Little Bluestem
Gulf Muhly	Seep Muhly
Indian Grass	Sideoats Grama

DISCOUNT
TIRE

CONCEPTUAL ELEVATIONS
 1. EXTERIOR WALLS
 2. INTERIOR WALLS
 3. FLOORING
 4. CEILING
 5. LIGHTING
 6. MECHANICAL/ELECTRICAL
 7. PAINT
 8. FINISHES
 9. LANDSCAPE
 10. SIGNAGE
 11. FURNITURE
 12. OTHER

CONCEPTUAL ELEVATIONS
 IH-30 SERVICE RD. & GREENBELT PKWY
 MESQUITE, TX 75150

JOB # A0612
 DATE: 10.10.08

DESIGNED BY

WWW.BERGMANARCHITECTURE.COM

B
BERGMAN

BERGMAN ARCHITECTURE

WILLIAM ANDER, ARCHITECT

CORPORATE OFFICE:
 4300 EMISSION AVE.
 CHINO, CA 91710

909.627.3651
 909.627.5425 FX.

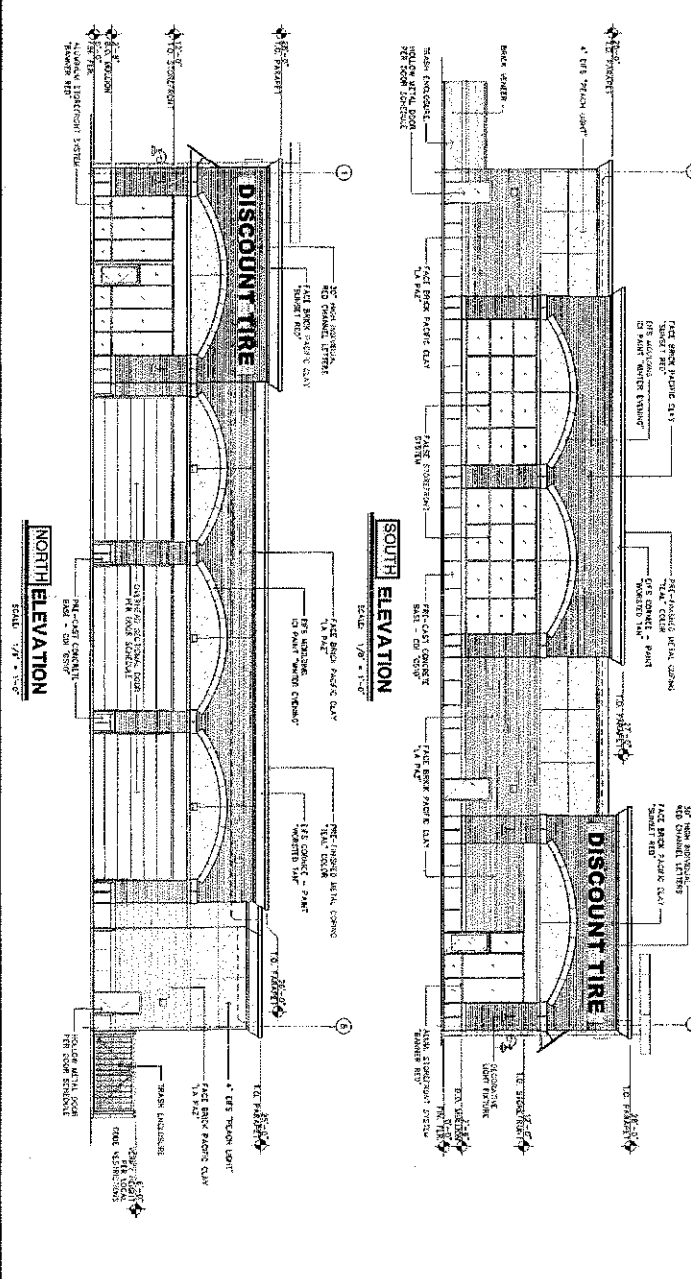
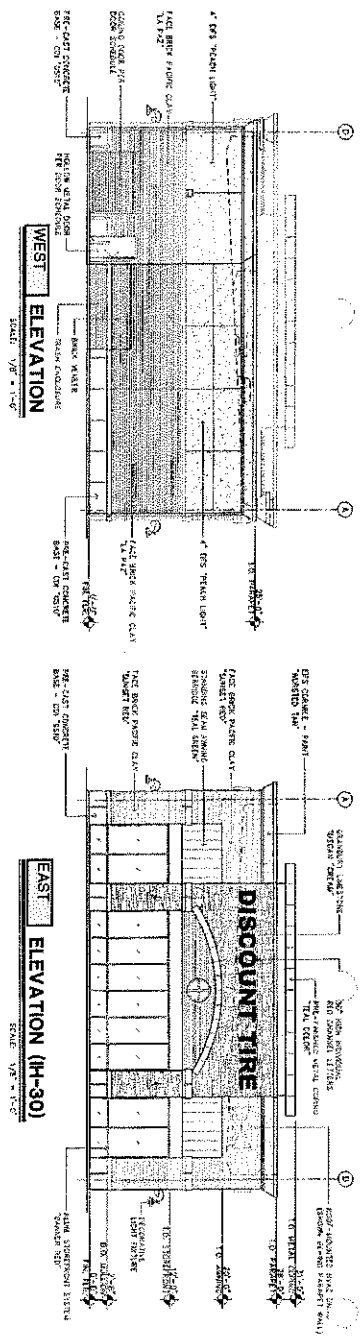


Exhibit 'C'
 Zoning File No. 944-1

TRACT I

Being a 9.58 acre tract of land situated in the E.T. Myers Survey, Abstract No. 944, in the City of Mesquite, Dallas County, Texas, and being a portion of Lot 11, of the Broadway Wal-Mart Addition, an Addition to the City of Mesquite, Dallas County, Texas, according to the plat thereof recorded in Volume 2000111, Page 4958, of the Map Records of Dallas County, Texas, and being a portion of a tract of land conveyed to D.C. Land Partners by deed recorded in Volume 2001029, Page 1050, of the Deed Records of Dallas County, Texas, and being more particularly described more as follows:

COMMENCING at a City of Garland Survey Marker found for corner at the south end of a corner clip at the northwest intersection of the north right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), and the west right-of-way line of Greenbelt Parkway (an 80' right-of-way) (by deed recorded in Volume 2004188, Page 10709);

THENCE South 63 deg. 59 min. 43 sec. West, along the common line of said Lot 11, said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 352.04 feet to a point for corner from which the center of a wood right-of-way monument bears North 19 deg. 57 min. 59 sec. East, 1.32 feet;

THENCE South 80 deg. 50 min. 36 sec. West, continuing along the common line of said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 15.45 feet to a point for the POINT OF BEGINNING;

THENCE South 80 deg. 50 min. 36 sec. West, continuing along the common line of said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 89.01 feet to a point for corner;

THENCE South 63 deg. 59 min. 43 sec. West, continuing along the common line of said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 295.40 feet to a point for corner, said point being the southwest corner of said D.C. Land Partners tract, same being the southeast corner of that certain tract of land to Byrne Development Company, as recorded in Volume 82100, Page 558, of said Deed Records, same being in the approximate centerline of Duck Creek;

THENCE along the common line of said D.C. Land Partners tract, and said Byrne Development Company, and along said approximate centerline of Duck Creek as follows:

North 23 deg. 28 min. 04 sec. West, a distance of 129.77 feet to a point for corner;
North 54 deg. 24 min. 02 sec. East, a distance of 81.55 feet to a point for corner;
North 24 deg. 01 min. 24 sec. West, a distance of 187.71 feet to a point for corner;
North 87 deg. 48 min. 05 sec. West, a distance of 236.27 feet to a point for corner;
North 19 deg. 39 min. 42 sec. West, a distance of 70.76 feet to a point for corner;
North 40 deg. 26 min. 10 sec. East, a distance of 115.63 feet to a point for corner;
North 05 deg. 39 min. 43 sec. East, a distance of 191.14 feet to a point for corner;
North 81 deg. 00 min. 27 sec. East, a distance of 51.36 feet to a point for corner;
South 20 deg. 31 min. 03 sec. East, a distance of 195.84 feet to a point for corner;
North 78 deg. 40 min. 06 sec. East, a distance of 131.72 feet to a point for corner;
North 45 deg. 02 min. 03 sec. East, a distance of 207.33 feet to a point for corner;
North 06 deg. 07 min. 22 sec. East, a distance of 173.14 feet to a point for corner;
North 45 deg. 47 min. 55 sec. West, a distance of 237.32 feet to a point for corner;

THENCE North 33 deg. 33 min. 17 sec. East, departing said approximate centerline of said Duck Creek, a distance of 254.81 feet to a point for corner;

THENCE North 45 deg. 38 min. 38 sec. West, a distance of 49.98 feet to a point for corner, said point being the south corner of that certain tract of land to W.T. Troth, Trustee and Robert G. Vial Trustee, as recorded in Volume 70109, Page 1464, of aforesaid Deed Records;

THENCE North 64 deg. 14 min. 23 sec. East, along the common line of said D.C. Land Partners tract, and said Troth and Vial tract, and along the south line of Lot 1, Block 1, Trisource Addition No. 1, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 84038, Page 1203, of aforesaid Map Records, a distance of 102.13 to a point for corner, said point being the northeast corner of said D.C. Land Partners tract, same being in the west right-of-way line of aforesaid Greenbelt Parkway;

THENCE South 25 deg. 53 min. 03 sec. East, along the common line of said D.C. Land Partners tract, aforesaid Lot 11, and the west right-of-way line of said Greenbelt Parkway, a distance of 691.69 feet to a point for corner;

THENCE through the interior of said D.C. Land Partners tract, and said Lot 11, as follows:

South 64 deg. 06 min. 57 sec. West, a distance of 156.40 feet to a point for corner;
South 28 deg. 15 min. 42 sec. West, a distance of 33.65 feet to a point for corner;
South 17 deg. 35 min. 09 sec. West, a distance of 72.55 feet to a point for corner;
South 26 deg. 16 min. 22 sec. West, a distance of 28.04 feet to a point for corner;
South 18 deg. 33 min. 50 sec. west, a distance of 46.42 feet to a point for corner;
South 13 deg. 12 min. 52 sec. West, a distance of 62.86 feet to a point for corner;
South 03 deg. 54 min. 25 sec. West, a distance of 76.19 feet to a point for corner;
South 07 deg. 55 min. 40 sec. East, a distance of 55.30 feet to a point for corner;
South 16 deg. 22 min. 10 sec. East, a distance of 107.41 feet to a point for corner;
South 50 deg. 18 min. 54 sec. East, a distance of 33.15 feet to the POINT OF BEGINNING and containing 417,423 square feet or 9.58 acres of computed land.

SAVE AND EXCEPT that certain 0.16 acre portion of that certain tract of land annexed to the City of Dallas, by deed thereof recorded File No. 20051008935, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a City of Garland Survey Marker found for corner at the south end of a corner clip at the northwest intersection of the north right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), and the west right-of-way line of Greenbelt Parkway (an 80' right-of-way) (by deed recorded in Volume 2004188, Page 10709);

THENCE North 19 deg. 03 min. 19 sec. West, along the common line of said D.C. Land Partners Land tract, and said corner clip, a distance of 28.31 feet to a point for corner, said point being the north end of said corner clip;

THENCE North 25 deg. 53 min. 03 sec. West, along the common line of said D.C. Land Partners tract, and the west right-of-way line of said Greenbelt Parkway, a distance of 410.00 feet to a point for the POINT OF BEGINNING;

THENCE South 64 deg. 06 min. 57 sec. West, through the interior of said D.C. Land Partners tract, and said Lot 11, a distance of 10.00 feet to a point for corner;

THENCE North 25 deg. 53 min. 03 sec. West, continuing through the interior of said D.C. Land Partners tract, and said Lot 11, a distance of 691.71 feet to a point for corner, said point being in the north line of said D.C. Land Partners tract, same being in the south line of Lot 1, Block 1, Trisource Addition No. 1, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 84038, Page 1203, of aforesaid Map Records;

THENCE North 64 deg. 14 min. 23 sec. East, along the common line of said D.C. Land Partners tract, and along said Lot 1, a distance of 10.00 feet to a point for corner, said point being the northeast corner of said D.C. Land Partners tract, same being in the west right-of-way line of aforesaid Greenbelt Parkway;

THENCE South 25 deg. 53 min. 03 sec. East, along the common line of said D.C. Land Partners tract, aforesaid Lot 11, and the west right-of-way line of said Greenbelt Parkway, a distance of 691.69 feet to the POINT OF BEGINNING and containing 6,917 square feet or 0.16 acres of computed land.

FURTHER SAVE AND EXCEPT that certain 0.09 acre portion of that certain tract of land annexed to the City of Dallas, by deed thereof recorded File No. 20051008935, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a City of Garland Survey Marker found for corner at the south end of a corner clip at the northwest intersection of the north right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), and the west right-of-way line of Greenbelt Parkway (an 80' right-of-way) (by deed recorded in Volume 2004188, Page 10709);

THENCE South 63 deg. 59 min. 43 sec. West, along the common line of said Lot 11, said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 352.04 feet to a point for corner from which the center of a wood right-of-way monument bears North 19 deg. 57 min. 59 sec. East, 1.32 feet;

THENCE South 80 deg. 50 min. 36 sec. West, continuing along the common line of said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 15.45 feet to a point for the POINT OF BEGINNING;

THENCE South 80 deg. 50 min. 36 sec. West, continuing along the common line of said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 89.01 feet to a point for corner;

THENCE South 63 deg. 59 min. 43 sec. West, continuing along the common line of said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 295.40 feet to a point for corner, said point being the southwest corner of said D.C. Land Partners tract, same being the southeast corner of that certain tract of land to Byrne Development Company, as recorded in Volume 82100, Page 558, of said Deed Records, same being in the approximate centerline of Duck Creek;

THENCE North 23 deg. 28 min. 04 sec. West, along the common line of said D.C. Land Partners tract, and said Byrne Development Company, and along said approximate centerline of Duck Creek, a distance of 10.01 feet to a point for corner;

THENCE through the interior of said D.C. Land Partners tract as follows:

North 63 deg. 59 min. 43 sec. West, a distance of 296.44 feet to a point for corner;

North 80 deg. 50 min. 36 sec. West, a distance of 81.75 feet to a point for corner;

South 50 deg. 18 min. 54 sec. West, a distance of 13.28 feet to the POINT OF BEGINNING and containing 3,813 square feet or 0.09 acres of computed land.

TRACT II

Being a 3.21 acre tract of land situated in the E.T. Myers Survey, Abstract No. 944, in the City of Mesquite, Dallas County, Texas, and being a portion of Lot 11, of the Broadway Wal-Mart Addition, an Addition to the City of Mesquite, Dallas County, Texas, according to the plat thereof recorded in Volume 2000111, Page 4958, of the Map Records of Dallas County, Texas, and being a portion of a tract of land conveyed to D.C. Land Partners by deed recorded in Volume 2001029, Page 1050, of the Deed Records of Dallas County, Texas, and being more particularly described more as follows:

BEGINNING at a City of Garland Survey Marker found for corner at the south end of a corner clip at the northwest intersection of the north right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), and the west right-of-way line of Greenbelt Parkway (an 80' right-of-way) (by deed recorded in Volume 2004188, Page 10709);

THENCE South 63 deg. 59 min. 43 sec. West, along the common line of said Lot 11, said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 352.04 feet to a point for corner;

THENCE South 80 deg. 50 min. 36 sec. West, continuing along the common line of said Lot 11, said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 15.45 feet to a point for corner;

THENCE through the interior of said D.C. Land Partners tract, and said Lot 11, as follows:

North 50 deg. 18 min. 54 sec. West, a distance of 33.15 feet to a point for corner;
North 16 deg. 22 min. 10 sec. West, a distance of 107.41 feet to a point for corner;
North 07 deg. 55 min. 40 sec. West, a distance of 55.30 feet to a point for corner;
North 03 deg. 54 min. 25 sec. East, a distance of 76.19 feet to a point for corner;
North 13 deg. 12 min. 52 sec. East, a distance of 62.86 feet to a point for corner;
North 18 deg. 33 min. 50 sec. East, a distance of 46.42 feet to a point for corner;
North 26 deg. 16 min. 22 sec. East, a distance of 28.04 feet to a point for corner;
North 17 deg. 35 min. 09 sec. East, a distance of 72.55 feet to a point for corner;
North 28 deg. 15 min. 42 sec. East, a distance of 33.65 feet to a point for corner
North 64 deg. 06 min. 56 sec. East, a distance of 156.40 feet to a point for corner, said point being in the east line of said D.C. Land Partners tract, same being in the west right-of-line of aforesaid Greenbelt Parkway;

THENCE South 25 deg. 53 min. 03 sec. East, along the common line of said D.C. Land Partners tract, and the west right-of-way line of said Greenbelt Parkway, a distance of 410.00 feet to a point for corner, said point being the north end of aforesaid corner clip;

THENCE South 19 deg. 03 min. 19 sec. West, along the common line of said D.C. Partners tract, and said corner clip, a distance of 28.31 feet to the POINT OF BEGINNING and containing 139,924 square feet or 3.21 acres of computed land.

SAVE AND EXCEPT that certain 0.18 acre portion of that certain tract of land annexed to the City of Dallas, by deed thereof recorded File No. 20051008935, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a City of Garland Survey Marker found for corner at the south end of a corner clip at the northwest intersection of the north right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), and the west right-of-way line of Greenbelt Parkway (an 80' right-of-way) (by deed recorded in Volume 2004188, Page 10709);

THENCE South 63 deg. 59 min. 43 sec. West, along the common line of said Lot 11, said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 352.04 feet

to a point for corner from which the center of a wood right-of-way monument bears North 19 deg. 57 min. 59 sec. East, 1.32 feet;

THENCE South 80 deg. 50 min. 36 sec. West, continuing along the common line of said Lot 11, said D.C. Land Partners tract, and the north right-of-way line of said Interstate Highway No. 30, a distance of 15.45 feet to a point for corner;

THENCE through the interior of said D.C. Land Partners tract, and said Lot 11, as follows:

North 50 deg. 18 min. 45 sec. West, a distance of 13.28 feet to a point for corner;

North 80 deg. 50 min. 36 sec. East, a distance of 22.71 feet to a point for corner;

North 63 deg. 59 min. 43 sec. East, a distance of 346.42 feet to a point for corner;

North 19 deg. 03 min. 19 sec. East, a distance of 20.04 feet to a point for corner;

North 25 deg. 53 min. 03 sec. West, a distance of 405.86 feet to a point for corner;

North 64 deg. 06 min. 56 sec. East, a distance of 10.00 feet to a point for corner,

said point being in the east line of said D.C. Land Partners tract, same being in the west right-of-way line of aforesaid Greenbelt Parkway;

THENCE South 25 deg. 53 min. 03 sec. East, along the common line of said D.C. Land Partners tract, aforesaid Lot 11, and the west right-of-way line of said Greenbelt Parkway, a distance of 410.00 feet to a point for corner, said point being the north end of aforesaid corner clip;

THENCE South 19 deg. 03 min. 19 sec. West, along the common line of said D.C. Partners tract, and said corner clip, a distance of 28.31 feet to the POINT OF BEGINNING and containing 8,004 square feet or 0.18 acres of computed land.